IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

OP.No. 424 of 2000(A)

PETITIONER:

P.GOVINDAN,
FINANCE MANAGER,
KERALA STATE HANDLOOM DEVELOPMENT CORPORATION LTD,
THILLERI ROAD, KANNUR – 670 001.

BY ADV. SRI.B.RAGUNATHAN
SRI.S.BALAN PILLAI
SRI.G.GOPALAKRISHNA PILLAI

RESPONDENTS:
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1. **KERALA STATE DETERGENTS AND CHEMICALS LTD.,**
REPRESENTED BY THE MANAGING DIRECTOR,
KERALA STATE DETERGENTS AND CHEMICALS LTD.,
KUTTIPPURAM, MALAPPURAM – 679 571.

2. **STATE OF KERALA, REPRESENTED BY THE**
PRINCIPAL SECRETARY TO GOVERNMENT,
INDUSTRIES DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM – 695 001.

BY ADV. SRI.U.K.RAMAKRISHNAN for R1
SRI.E.K.MADHAVAN
SRI.P.V.LOHITHAKSHAN
SRI.V.KRISHNA MENON

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 06/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NO.601/2000 IN O.P.NO.424/2000 A

DISMISSED

6/08/2007 **SD/-THOTTATHIL B.RADHAKRISHNAN,JUDGE**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE REPRESENTATION DTD. 26/06/1995 TO THE 1ST RESPONDENT.**

EXT.P2: **COPY OF THE REPRESENTATION DTD. 12/12/1995 TO THE 1ST RESPONDENT.**

EXT.P3: **COPY OF THE REPRESENTATION DTD. 14/08/1996 TO THE 1ST RESPONDENT.**

EXT.P4: **COPY OF THE REPRESENTATION DTD. 13/02/1997TO THE 1ST RESPONDENT.**

EXT.P5: **COPY OF THE LAWYER'S NOTICE DTD. 13/09/1999 TO THE 1ST RESPONDENT.**

/TRUE COPY/

P.S.TO JUDGE

KSS

THOTTATHIL B. RADHAKRISHNAN, J.

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O.P.No.424 of 2000-A

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Dated this the 6th day of August, 2007.

JUDGMENT

The uncontroverted averment in paragraph 7 of the counter-affidavit is that the employer company is declared as a sick unit by the Board for Industrial and Financial Re-construction, in which event, having regard to Section 22(1) of the Sick Industrial Companies (Special Provisions) Act, 1985, unless there is any constitutional issue, I do not deem it appropriate to consider a solitary case relating to service benefits. This writ petition is hence closed, without prejudice to the contentions.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-

THOTTATHIL B. RADHAKRISHNAN, J.

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O.P.No.424 of 2000-A

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JUDGMENT

Dated: 6th August, 2007.